



# UNITED STATES PATENT AND TRADEMARK OFFICE

W  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/810,690   | 03/29/2004  | Jun Hyung Park       | LT-0057             | 1206             |
| 34610  | 7590        | 05/01/2007           | EXAMINER            |                  |
| KED & ASSOCIATES, LLP<br>P.O. Box 221200<br>Chantilly, VA 20153-1200 |             |                      | GELIN, JEAN ALLAND  |                  |
| ART UNIT   |             | PAPER NUMBER         |                     |                  |
| 2617   |             |                      |                     |                  |
| MAIL DATE  |             | DELIVERY MODE        |                     |                  |
| 05/01/2007   |             | PAPER                |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 10/810,690             | PARK ET AL.         |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Jean A. Gelin          | 2617                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

- 1) Responsive to communication(s) filed on 29 March 2004.
- 2a) This action is **FINAL**.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 4) Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 21-25 is/are allowed.
- 6) Claim(s) 1-7, 18-20 and 26-31 is/are rejected.
- 7) Claim(s) 8-17, 32-41 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-7, 18-20, and 26-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Matsuo et al. (US 2003/0203741).

Regarding claim 1, Matsuo teaches a method for controlling data communication in a wireless local area network (LAN) (i.e., controlling data transmission in wireless LAN systems different from each other [0070]-[0072]), comprising: checking a battery capacity using a first station (i.e., checking the remaining battery capacity, [0075]); and determining a transmission characteristic for a wireless LAN communication corresponding to the checked battery capacity (i.e., determining the communication network to communicate based on the remaining battery capacity [0075]-[0078]).

Regarding claim 2, Matsuo teaches wherein said checked battery capacity is of a host personal computer (i.e., terminal 13 could be PC, PDA, or portable phone and performed data communication, [0005] and [0118]).

Regarding claim 3, Matsuo teaches wherein said transmission characteristic includes a data transfer speed or a transmission power save period ([0071]).

Regarding claim 4, Matsuo teaches wherein said data transfer speed is determined in a multistage manner based on said checked battery capacity ([0072]-[0075]).

Regarding claim 5, Matsuo teaches wherein said transmission save period is determined in a multistage manner based on said checked battery capacity ([0072]-[0075]).

Regarding claim 6, Matsuo teaches wherein the wireless LAN communication comprises an ad hoc mode and an infrastructure mode ([0005] and [0070]).

Regarding claim 7, Matsuo teaches wherein said wireless LAN communication is between a second station and the first station (i.e., when two terminals are communicating via the network, [0107]-[0109], and [0118]).

Regarding claim 18, Matsuo teaches a method, comprising: receiving data communications from a plurality of stations on a wireless LAN network at an access point ([0048]-[0054], and [0070]-[0072]); and determining priorities for data transmission and reception with reference to power save period information transmitted from the plurality of stations ([0075]-[0078]).

Regarding claim 19, Matsuo teaches recognizing respective remaining battery powers of said stations from said power save period information transmitted from said stations ([0075]-[0078]); and assigning a highest priority for data transmission/reception to any one of said stations having a lowest one of the remaining battery powers ([0075]-[0078]).

Regarding claim 20, Matsuo teaches wherein the wireless LAN network comprises an infrastructure mode ([0070]).

Regarding claim 26, Matsuo teaches an apparatus, comprising: a transmitting wireless LAN terminal coupled to a host computer and configured to determine remaining battery capacity of a host computer (i.e., terminal 13 could be PC, PDA, or portable phone and performed data communication, [0005] and [0118], and [0075]-[0078]), wherein the transmitting station is configured to determine a transmission characteristic for a wireless LAN communication responsive to the remaining battery capacity ([0075]-[0078]).

Regarding claim 27, Matsuo teaches wherein said wireless LAN communication is between a receiving terminal and the transmitting terminal ([0117]-[0119]).

Regarding claim 28, Matsuo teaches said transmission characteristic includes a data transfer speed or a transmission power save period ([0075]-[0078]).

Regarding claim 29, Matsuo teaches said transfer speed is determined in a multistage manner based on said remaining battery capacity ([0075]-[0078]).

Regarding claim 30, Matsuo teaches said transmission save period is determined in a multistage manner based on said remaining battery capacity ([0075]-[0078]).

Regarding claim 31, Matsuo teaches the wireless LAN communication comprises an ad hoc mode and an infrastructure mode ([0070]).

***Allowable Subject Matter***

3. Claims 21-25 are allowed.

4. Claims 8-17 and 32-41 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

|                      |                 |            |
|----------------------|-----------------|------------|
| Van Borkhorst et al. | US 6,192,230    | 02/20/2001 |
| Kikinis              | US 6,078,566    | 06/20/2000 |
| Ishikurra et al.     | US 6,052,565    | 04/18/2000 |
| Vook et al.          | US 5,560,021    | 09/24/1996 |
| Ofuji et al.         | US 2003/0181163 | 09/25/2003 |
| Matsumura et al.     | US 2003/0050104 | 03/13/2003 |
| Liu                  | US 2005/0009578 | 01/13/2005 |

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean A. Gelin whose telephone number is (571) 272-7842. The examiner can normally be reached on 9:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JGelin  
April 26, 2007

**JEAN GELIN  
PRIMARY EXAMINER**

